



General Assembly

January Session, 2015

Raised Bill No. 1028

LCO No. 4128



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING THE TOLLING OF THE STATUTE OF
LIMITATIONS FOR A NEGLIGENCE ACTION BROUGHT BY A MINOR.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 52-584 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2015, and*
3 *applicable to all cases pending on and cases filed on or after said date*):

4 (a) No action to recover damages for injury to the person, or to real
5 or personal property, caused by negligence, or by reckless or wanton
6 misconduct, or by malpractice of a physician, surgeon, dentist,
7 podiatrist, chiropractor, hospital or sanatorium, shall be brought but
8 within two years from the date when the injury is first sustained or
9 discovered or in the exercise of reasonable care should have been
10 discovered, and except that no such action may be brought more than
11 three years from the date of the act or omission complained of, except
12 that a counterclaim may be interposed in any such action any time
13 before the pleadings in such action are finally closed.

14 (b) Notwithstanding the time limitation to bring an action under

15 subsection (a) of this section, if a person entitled to bring such an
16 action, other than for the recovery of real property or a penalty or
17 forfeiture, is unable to bring such action because such person is under
18 eighteen years of age on the date the cause of action accrued, such
19 person may bring such action within one year from the date such
20 person attains eighteen years of age, except that no such action may be
21 brought more than eight years from the date of the act or omission
22 complained of.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015, and applicable to all cases pending on and cases filed on or after said date</i>	52-584

Statement of Purpose:

To extend the statute of limitations for an injured minor to bring a negligence action to one year after the minor attains the age of majority.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]